TikTok’s attempt to stall DMA antitrust rules rejected by EU court

TikTok’s attempt to stall the EU from designating it as a “gatekeeper” — companies with platforms powerful enough that they must follow strict Digital Markets Act (DMA) antitrust rules — has been rejected by a court. *Bloomberg* reports that the EU’s General Court has dismissed owner ByteDance’s request for an interim measure that would effectively would buy TikTok some more time to implement the regulations, finding that the company “failed to demonstrate the urgency” required.

Although TikTok is appealing the EU’s gatekeeper designation, the bloc still hasn’t reached a final decision yet on the appeal. ByteDance asked for an interim measure in December so it wouldn’t have to comply with the regulations before the EU decided the outcome of the appeal. Today’s decision is a rejection of that request, meaning that TikTok will have to at least temporarily comply with DMA rules that go into effect in March, even if the EU decides later to approve the appeal.

“ByteDance has not shown that there is a real risk of disclosure of confidential information or that such a risk would give rise to serious and irreparable harm,” judges said.

TikTok’s status as a gatekeeper means the platform will join other large tech companies like Apple, Meta, Amazon, and Google in making a series of changes for EU users, including allowing third-party businesses access to their services and requiring consent for personalized advertising. It also means millions of euros in fines for TikTok and all other gatekeeper companies, if they ever break DMA rules. (For a full account

of Big Tech’s ongoing battle with the EU over the DMA, check out our StoryStream.)

“While we are disappointed with the decision, we look forward to having the substance of our case heard on an expedited basis,” a spokesperson for TikTok told *Bloomberg*.

TikTok received more bad news from Europe on Friday in the form of a separate EU probe into its content moderation rules for minors, *Bloomberg* is also reporting. The investigation, which will be carried out under the EU’s new Digital Services Act (DSA), sprang out of concerns that the changes TikTok made to comply with the DSA aren’t enough to protect underage users, a source familiar with the probe told the news outlet.

Last year TikTok made a series of changes for its EU users directly in response to the DSA, including no longer serving personalized ads based on their activities on the platform to minors.

https://www.theverge.com/2024/2/9/24068129/tiktok-interim-measure-rejected-eu-general-court